

JUL 13 2004

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FAX COVER SHEET

DATE:	JULY 13, 2004
TO FAX NO:	703/305-7687
TELEPHONE:	
DELIVER TO:	EXAMINER A. FELTON (GROUP ART UNIT 3641)
FIRM NAME:	U.S. PATENT AND TRADEMARK OFFICE
FROM:	MARINA V. SCHNELLER REG. NO. 26,032
TOTAL NO. OF PAGES:	4 (including cover)
Our Ref.	32140-177788
Re:	U.S. Patent Application No. 10/058,832

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I hereby certify that the following Request for Interview (Telephonic or Personal) Under M.P.E.P. 713.09 (3 pages, including cover page) is being transmitted by facsimile to the U.S. Patent and Trademark Office at fax number 703/305-7687 on July 13, 2004.


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In re application of:

Paul WANNINGER, et al.

Art Unit: 3641

Appln. No: 10/058,832

Examiner: A. Felton

Confirmation No.: 2432

Filed: January 30, 2002

Atty. Docket No: 32140-177788

For: COMBUSTIBLE SHAPED
AMMUNITION PARTCustomer No.
26694
PATENT TRADEMARK OFFICE**REQUEST FOR INTERVIEW (TELEPHONIC OR PERSONAL)
UNDER M.P.E.P. 713.09**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is a follow up to the undersigned's telephone conference with the Examiner on Monday July 12, 2004. The Examiner indicated that the request had to conform to the M.P.E.P. In Applicants' view, this paper conforms to M.P.E.P. Section 713.09, and Applicants' amendment of July 16 complies with Rule 116.

Application No. 10/058,832
Applicants: Paul WANNINGER *et al.*

Applicants request an interview concerning a reply filed on July 6, 2004 (under the next-business-day rule). Applicants had attempted to arrange for an interview before the July 6 filing of the Amendment and immediately thereafter.

The following would be the points of discussion:

1) Claim 16, an independent claim containing certain recitations, was amended to incorporate claim 19 (with the cancellation of Claim 19 and certain dependent claims);

Now amended independent Claim 16 contains a recitation which is in independent Claim 10 ("wherein the shaped ammunition part contains 2 to 15% of one or more erosion-reducing agent(s)"). Prior to the July 6 Amendment, Claim 16 contained recitations which were not common to independent Claim 10. Claim 16 would now read:

"16. (Currently amended) A combustible shaped ammunition part wherein the shaped ammunition part contains 2 to 15% of one or more erosion-reducing agent(s) and wherein the combustible shaped ammunition part is in the form of a propellant case or a propellant charge container...."

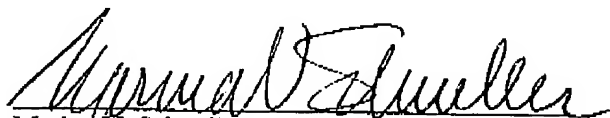
2) In Applicants' view, the issue turns on the primary references, as the secondary references are irrelevant since they relate to aluminum and aluminum-containing coatings. The U.S. PTO states, "the additive can comprise of 3% of the propellant charge" (in connection with the analysis of the reference(s)). Applicants' recitation concerning the amount of erosion-reducing agent is not 3% of the propellant charge.

Application No. 10/058,832
Applicants: Paul WANNINGER *et al.*

Please telephone the undersigned at (202) 344-4062 at your early convenience.

Respectfully submitted,

July 13, 2004



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